

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

RODOLFO HERNANDEZ DIAZ, #1379718 §

VS. § CIVIL ACTION NO. 6:06cv423

KAREN BROWN, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the complaint is **DISMISSED** without prejudice for failure to obey an order of the Court and failure to prosecute. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. All motions by either party not previously ruled on are hereby denied.

SIGNED this 7th day of February, 2007.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE